

1 MICHAEL COSENTINO, State Bar No. 83253
Attorney at Law
2 P.O. Box 129
Alameda, CA 94501
3 Telephone: (510) 523-4702
Facsimile: (510) 747-1640

4 Attorney for Plaintiff
5 United States of America
6
7

8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
10
11

12 **UNITED STATES OF AMERICA,**

NO. CV 12-4490 SLM

13 Plaintiff,

14 v.

15 **Fontel M. Flowers aka Fontel**
Flowers,

STIPULATED ORDER OF
CONTINUING GARNISHMENT

16 Defendant,

17 and

18 **Whole Foods Market CA Inc,**

19 Garnishee. /
20

21 IT IS HEREBY STIPULATED by and between Judgment Creditor, United States of
22 America, and Judgment Debtor, Fontel M. Flowers aka Fontel Flowers, that garnishee, Whole
23 Foods Market CA Inc, withhold \$75.00 each month from Judgment Debtor's non-exempt
24 disposable income, commencing with the February, 2013, pay period, until the entire judgment
25 in the amount of \$5,278.03 entered November 05, 2012, plus interest compounded annually
26 pursuant to 11 USC §1961(b) at the rate of 0.180 % per annum, for total interest through and
27 including February 01, 2013, in the amount of \$1.76, for a total due as of February 01, 2013,
28 in the amount of \$5,279.79, has been paid in full or until the garnishee no longer has custody,

1 possession or control of any property belonging to the debtor or until further Order of this
2 court.

3 IT IS HEREBY FURTHER STIPULATED that Emeritus Corporation, Garnishee,
4 immediately remit to the United States Department of Justice the above mentioned payments
5 as and for the month of February 2013, and as and for each month thereafter.

6 IT IS HEREBY FURTHER STIPULATED that said payments be made payable to the
7 U.S. Department of Justice, and be mailed to the Department of Justice-NCIF, P.O. Box
8 790363, St. Louis, MO 63179-0363, referencing the judgment debtor's name and CDCS Claim
9 number **2012A28470** on each check for posting purposes.

10 IT IS HEREBY FURTHER STIPULATED that judgment debtor, upon request by mail
11 from judgment creditor to judgment debtor, shall submit a financial statement to judgment
12 creditor annually, the form of which shall be mailed to judgment debtor by judgment creditor.

13 IT IS HEREBY FURTHER STIPULATED that in accordance with the provisions of Title
14 28 U.S.C. Section 636(c) the parties hereby voluntarily waive their rights to proceed before a
15 judge of the United States District Court and consent to have a United States magistrate judge
16 conduct any and all further proceedings in the case. It is understood that any appeal from an
17 order entered by a magistrate judge will be taken directly to the Ninth Circuit of the United
18 States Court of Appeals in the same manner as an appeal from any other judgment of a
19 District Court.

20 By his signature hereafter, Fontel M. Flowers aka Fontel Flowers acknowledges that
21 he read, understands and waives all of his rights under the CLERK'S NOTICE OF POST-
22 JUDGMENT GARNISHMENT AND INSTRUCTIONS TO DEFENDANT; REQUEST FOR
23 HEARING FORM; OBJECTION TO GARNISHEE'S ANSWER AND REQUEST FOR
24 HEARING FORM; NOTICE ON HOW TO CLAIM EXEMPTION; CLAIM FOR EXEMPTION
25 FORM and the WRIT OF CONTINUING GARNISHMENT and the APPLICATION FOR WRIT
26 OF CONTINUING GARNISHMENT in exchange for the herein

27
28
payment stipulation.



1 Dated: February 04, 2013

Michael Cosentino, Counsel for United States

2
3 Dated: February 04, 2013


Fontel M. Flowers aka Fontel Flowers

4
5 **IT IS SO ORDERED.**

6
7 Dated: February 19, 2013


UNITED STATES MAGISTRATE JUDGE